

# **Exhibit C**



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P.O. Box 1450

Alexandria, VA 22313-1450

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*Ex Parte* Reexamination Filing Data - September 30, 2020

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 <sup>1</sup> .....	14185
a. By patent owner	3954 27.9%
b. by other member of the public	10056 70.9%
c. By order of Commissioner	175 1.2%
2. Number of Filings by discipline	
a. Chemical Operation	3843 27.1%
b. Electrical Operation	5279 37.2%
c. Mechanical Operation	4790 33.8%
d. Design Patents	273 1.9%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No	
1981    78 (3 mos.)    1989    242      1997    380      2005    520      2013    305	
1982    187      1990    297      1998    348      2006    473      2014    355	
1983    186      1991    309      1999    391      2007    600      2015    244	
1984    189      1992    390      2000    312      2008    690      2016    222	
1985    230      1993    359      2001    295      2009    603      2017    191	
1986    232      1994    379      2002    272      2010    697      2018    187	
1987    240      1995    395      2003    394      2011    734      2019    163	
1988    269      1996    413      2004    436      2012    780      2020    198	
4. Number known to be in litigation.....	5428 38.3%
5. Decisions on requests <sup>2</sup> .....	14185
a. No. granted	13082 92.2%
(1) By examiner	12888
(2) By Director (on petition)	194
b. No. denied	1183 8.3%
(1) By examiner	1103
(2) Reexam vacated	80
6. Total examiner denials (includes denials reversed by Director).....	1103
a. Patent owner requester	525 47.6%
b. Third party requester	578 52.4%

<sup>1</sup> Total decisions on requests does not include requests that have been vacated or are pending.<sup>2</sup> The Director granted requests are only granted petitions on denial under 37 CFR 1.515.<sup>3</sup> Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.7 (mos.)
b. Median pendency	19.3 (mos.)

8. Reexam certificate claim analysis: <sup>3</sup>	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	14%	0%	20.9%	2672
b. Certificates with all claims canceled	3%	10%	0%	13.1%	1668
c. Certificates with claims changes	22%	44%	1%	66.0%	8424

9. Total ex parte reexamination certificates issued (1981 – present) ..... 12764

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3960
a. All claims confirmed	809	20.4%
b. All claims canceled	396	10.0%
c. Claims changed	2755	69.6%
b. Certificates – 3rd PARTY REQUESTER		8630
a. All claims confirmed	1846	21.4%
b. All claims canceled	1226	14.2%
c. Claims changed	5558	64.4%
c. Certificates – COMMISSIONER INITIATED REEXAM		174
a. All claims confirmed	17	9.8%
b. All claims canceled	46	26.4%
c. Claims changed	111	63.8%

<sup>1</sup> Total decisions on requests does not include requests that have been vacated or are pending.

<sup>2</sup> The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

<sup>3</sup> Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020



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*Ex Parte* Reexamination Filing Data - September 30, 2019

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13987
a. By patent owner	3919 28%
b. by other member of the public	9893 71%
c. By order of Commissioner	175 1%
2. Number of Filings by discipline	
a. Chemical Operation	3791 27%
b. Electrical Operation	5214 37%
c. Mechanical Operation	4732 34%
d. Design Patents	250 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No	
1981    78 (3 mos.)    1989    242    1997    380    2005    520    2013    305	
1982    187    1990    297    1998    348    2006    473    2014    355	
1983    186    1991    309    1999    391    2007    600    2015    244	
1984    189    1992    390    2000    312    2008    690    2016    222	
1985    230    1993    359    2001    295    2009    603    2017    191	
1986    232    1994    379    2002    272    2010    697    2018    187	
1987    240    1995    395    2003    394    2011    734    2019    163	
1988    269    1996    413    2004    436    2012    780	
4. Number known to be in litigation.....	1938 14%
5. Decisions on requests <sup>2</sup> .....	14130
a. No. granted	12905 91%
(1) By examiner	12718
(2) By Director (on petition)	187
b. No. denied	1277 9%
(1) By examiner	1225
(2) Reexam vacated	52
6. Total examiner denials (includes denials reversed by Director).....	1226
a. Patent owner requester	524 43%
b. Third party requester	702 57%

1 Total decisions on requests does not include requests that have been vacated or are pending.

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

7. Overall reexamination pendency (Filing date to certificate issue date).....					
a. Average pendency					25.8 (mos.)
b. Median pendency					19.4 (mos.)
8. Total ex parte reexamination certificates issued (1981 - present).....				11980	
	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	15%	0%	20.7%	2480
b. Certificates with all claims canceled	3%	10%	0%	12.7%	1517
c. Certificates with claims changes	19%	46%	1%	66.6%	7983
9. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.					
a. Certificates – PATENT OWNER REQUESTER					3325
a. All claims confirmed				693	21%
b. All claims canceled				300	9%
c. Claims changed				2332	70%
b. Certificates – 3rd PARTY REQUESTER					8481
a. All claims confirmed				1769	21%
b. All claims canceled				1170	14%
c. Claims changed				5542	65%
c. Certificates – COMMISSIONER INITIATED REEXAM					174
a. All claims confirmed				18	10%
b. All claims canceled				47	27%
c. Claims changed				109	63%

1 Total decisions on requests does not include requests that have been vacated or are pending.

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.



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*Ex Parte* Reexamination Filing Data - September 30, 2018

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	14005
a. By patent owner	4137 30%
b. by other member of the public	9825 70%
c. By order of Commissioner	43 0%
2. Number of Filings by discipline	
a. Chemical Operation	3782 27%
b. Electrical Operation	5270 38%
c. Mechanical Operation	4717 34%
d. Design Patents	236 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No	
1981   78 (3 mos.)   1989   242   1997   380   2005   520   2013   305	
1982   187   1990   297   1998   348   2006   473   2014   355	
1983   186   1991   309   1999   391   2007   601   2015   243	
1984   189   1992   390   2000   312   2008   691   2016   225	
1985   230   1993   359   2001   295   2009   605   2017   189	
1986   232   1994   379   2002   272   2010   698   2018   189	
1987   240   1995   395   2003   394   2011   736	
1988   269   1996   413   2004   436   2012   781	
4. Number known to be in litigation.....	4731 34%
5. Decisions on requests.....	13178
a. No. granted	12042 91%
(1) By examiner	11891
(2) By Director (on petition)	151
b. No. denied	1136 9%
(1) By examiner	1089
(2) Reexam vacated	47
6. Total examiner denials (includes denials reversed by Director).....	2272
a. Patent owner requester	586 26%
b. Third party requester	1686 74%
7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	27.7 (mos.)
b. Median pendency	19.8 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2018

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All claims canceled	3%	10%	0%	12%
c. Claims changed	20%	47%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present) .....				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3337
a. All claims confirmed			690	21%
b. All claims canceled			293	9%
c. Claims changed			2313	69%
b. Certificates – 3rd PARTY REQUESTER				8362
a. All claims confirmed			1681	20%
b. All claims canceled			1062	13%
c. Claims changed			5174	62%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All claims canceled			23	56%
c. Claims changed			16	39%



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*Ex Parte* Reexamination Filing Data - September 30, 2017

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13641
a. By patent owner	3912      29%
b. by other member of the public	9686      71%
c. By order of Commissioner	43      0%
2. Number of Filings by dicipline	
a. Chemical Operation	3670      27%
b. Electrical Operation	5148      38%
c. Mechanical Operation	4596      34%
d. Design Patents	227      2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.      No      Fiscal Yr.      No      Fiscal Yr.      No      Fiscal Yr.      No      Fiscal Yr.      No	
1981      78 (3 mos.)      1989      242      1997      380      2005      520      2013      305	
1982      187      1990      297      1998      348      2006      473      2014      355	
1983      186      1991      309      1999      391      2007      601      2015      243	
1984      189      1992      390      2000      312      2008      691      2016      219	
1985      230      1993      359      2001      295      2009      605      2017      191	
1986      232      1994      379      2002      272      2010      698	
1987      240      1995      395      2003      394      2011      736	
1988      269      1996      413      2004      436      2012      781	
4. Number known to be in litigation.....	4648      34%
5. Decisions on requests.....	13147
a. No. granted	12047      92%
(1) By examiner	11913
(2) By Director (on petition)	134
b. No. denied	1100      8%
(1) By examiner	1054
(2) Reexam vacated	46
6. Total examiner denials (includes denials reversed by Director).....	1056
a. Patent owner requester	494      47%
b. Third party requester	562      53%
7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	26.4 (mos.)
b. Median pendency	19.4 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2016



8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	46%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present) .....				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3296
a. All claims confirmed			690	21%
b. All calims canceled			293	9%
c. Claims changed			2313	70%
b. Certificates – 3rd PARTY REQUESTER				7917
a. All claims confirmed			1681	21%
b. All calims canceled			1062	13%
c. Claims changed			5174	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%



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*Ex Parte* Reexamination Filing Data - September 30, 2016

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13450
a. By patent owner	3887 29%
b. by other member of the public	9520 71%
c. By order of Commissioner	43 0%
2. Number of Filings by dicipline	
a. Chemical Operation	3632 27%
b. Electrical Operation	5085 38%
c. Mechanical Operation	4521 34%
d. Design Patents	212 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No    Fiscal Yr.    No	
1981    78 (3 mos.)    1989    242    1997    380    2005    520    2013    305	
1982    187    1990    297    1998    348    2006    473    2014    355	
1983    186    1991    309    1999    391    2007    601    2015    243	
1984    189    1992    390    2000    312    2008    691    2015    219	
1985    230    1993    359    2001    295    2009    605	
1986    232    1994    379    2002    272    2010    698	
1987    240    1995    395    2003    394    2011    736	
1988    269    1996    413    2004    436    2012    781	
4. Number known to be in litigation.....	4350 32%
5. Decisions on requests.....	12929
a. No. granted	11835 92%
(1) By examiner	11704
(2) By Director (on petition)	131
b. No. denied	1094 8%
(1) By examiner	1048
(2) Reexam vacated	46
6. Total examiner denials (includes denials reversed by Director).....	1048
a. Patent owner requester	492 47%
b. Third party requester	556 53%
7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.77 (mos.)
b. Median pendency	20.2 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2016

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	0%	66%
9. Total ex parte reexamination certificates issued (1981 – present) .....				10979
a. Certificates with all claims confirmed			2337	21%
b. Certificates with all claims canceled			1339	12%
c. Certificates with claims changes			7303	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3270
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2294	70%
b. Certificates – 3rd PARTY REQUESTER				7519
a. All claims confirmed			1631	22%
b. All calims canceled			999	13%
c. Claims changed			4889	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%

1 Total decisions on requests does not include requests that have been vacated or are pending.



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*Ex Parte* Reexamination Filing Data - September 30, 2015

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13136	
a. By patent owner	3957	30%
b. by other member of the public	9014	69%
c. By order of Commissioner	165	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3569	27%
b. Electrical Operation	5265	40%
c. Mechanical Operation	4418	34%
d. Design Patents	220	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No		
1981   78 (3 mos.)   1989   243   1997   376   2005   524   2013   296		
1982   187   1990   297   1998   350   2006   511   2014   342		
1983   186   1991   307   1999   385   2007   643   2015   240		
1984   189   1992   392   2000   318   2008   680		
1985   230   1993   359   2001   296   2009   658		
1986   232   1994   379   2002   272   2010   780		
1987   240   1995   392   2003   392   2011   759		
1988   268   1996   418   2004   441   2012   787		
4. Number known to be in litigation.....	4819	37%
5. Decisions on requests.....		12641
a. No. granted	11623	92%
(1) By examiner	11492	
(2) By Director (on petition)	131	
b. No. denied	1018	8%
(1) By examiner	980	
(2) Reexam vacated	38	
6. Total examiner denials (includes denials reversed by Director).....		1118
a. Patent owner requester	496	44%
b. Third party requester	622	56%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	26.5 (mos.)	
b. Median pendency	19.6 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2015

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	1%	67%
9. Total ex parte reexamination certificates issued (1981 – present) .....				10951
a. Certificates with all claims confirmed			2331	21%
b. Certificates with all claims canceled			1334	12%
c. Certificates with claims changes			7286	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3268
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2292	70%
b. Certificates – 3rd PARTY REQUESTER				7513
a. All claims confirmed			1628	22%
b. All calims canceled			998	13%
c. Claims changed			4887	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%



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*Ex Parte* Reexamination Filing Data - September 30, 2014

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13217	
a. By patent owner	3833	29%
b. by other member of the public	9217	70%
c. By order of Commissioner	167	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3516	27%
b. Electrical Operation	5167	39%
c. Mechanical Operation	4330	33%
d. Design Patents	204	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No   Fiscal Yr.   No		
1981   78 (3 mos.)   1989   243   1997   376   2005   524   2013   305		
1982   187   1990   297   1998   350   2006   511   2014   343		
1983   186   1991   307   1999   385   2007   643		
1984   189   1992   392   2000   318   2008   680		
1985   230   1993   359   2001   296   2009   658		
1986   232   1994   379   2002   272   2010   780		
1987   240   1995   392   2003   392   2011   759		
1988   268   1996   418   2004   441   2012   787		
4. Number known to be in litigation.....	4362	33%
5. Decisions on requests.....		12429
a. No. granted	11402	92%
(1) By examiner	11271	
(2) By Director (on petition)	131	
b. No. denied	1027	8%
(1) By examiner	990	
(2) Reexam vacated	37	
6. Total examiner denials (includes denials reversed by Director).....		1067
a. Patent owner requester	665	62%
b. Third party requester	621	58%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	22.3 (mos.)	
b. Median pendency	15.9 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2014

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	22%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	44%	1%	66%
9. Total ex parte reexamination certificates issued (1981 – present) .....				10698
a. Certificates with all claims confirmed			2303	22%
b. Certificates with all claims canceled			1301	12%
c. Certificates with claims changes			7094	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3256
a. All claims confirmed			685	21%
b. All calims canceled			289	9%
c. Claims changed			2282	70%
b. Certificates – 3rd PARTY REQUESTER				7272
a. All claims confirmed			1600	22%
b. All calims canceled			967	13%
c. Claims changed			4705	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%

1 Total decisions on requests does not include requests that have been vacated or are pending.



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*Ex Parte* Reexamination Filing Data - September 30, 2013

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	12874	
a. By patent owner	3833	30%
b. by other member of the public	8874	69%
c. By order of Commissioner	167	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3435	27%
b. Electrical Operation	5001	39%
c. Mechanical Operation	4234	33%
d. Design Patents	204	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No      Fiscal Yr. No      Fiscal Yr. No      Fiscal Yr. No      Fiscal Yr. No		
1981    78 (3 mos.    1989    243      1997    376      2005    524      2013    305		
1982    187      1990    297      1998    350      2006    511		
1983    186      1991    307      1999    385      2007    643		
1984    189      1992    392      2000    318      2008    680		
1985    230      1993    359      2001    296      2009    658		
1986    232      1994    379      2002    272      2010    780		
1987    240      1995    392      2003    392      2011    759		
1988    268      1996    418      2004    441      2012    787		
4. Number known to be in litigation.....	4167	32%
5. Decisions on requests.....		12016
a. No. granted	11013	92%
(1) By examiner	10891	
(2) By Director (on petition)	122	
b. No. denied	1003	8%
(1) By examiner	968	
(2) Reexam vacated	35	
6. Total examiner denials (includes denials reversed by Director).....		1067
a. Patent owner requester	498	47%
b. Third party requester	606	57%
7. Overall reexamination pendency (Filing date to certificate issue date)		
a. Average pendency	27.8 (mos.)	
b. Median pendency	20.1 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

updated as of 11/22/13



8. Reexam certificate claim analysis:	Owner Requeste	3rd Party Requeste	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	8%	0%	11%
c. Claims changed	21%	40%	1%	62%
9. Total ex parte reexamination certificates issued (1981 – present) .....				9991
a. Certificates with all claims confirmed			2241	22%
b. Certificates with all claims canceled			1205	12%
c. Certificates with claims changes			6545	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3279
a. All claims confirmed			682	21%
b. All calims canceled			283	9%
c. Claims changed			2239	68%
b. Certificates – 3rd PARTY REQUESTER				7174
a. All claims confirmed			1541	21%
b. All calims canceled			882	12%
c. Claims changed			4201	59%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			40	24%
c. Claims changed			105	64%

1 Total decisions on requests does not include requests that have been vacated or are pending.



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Ex Parte Reexamination Filing Data - September 30, 2012

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	12569
a. By patent owner	3872 31%
b. by other member of the public	8532 68%
c. By order of Commissioner	165 1%
2. Number a. Chemical Operation	3373 27%
b. Electrical Operation	4831 38%
c. Mechanical Operation	4178 33%
d. Design Patents	187 1%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No      Fiscal Yr. No      Fiscal Yr. No      Fiscal Yr. No	
1981 78 (3 mos.)    1989 243      1997 376      2005 524	
1982 187      1990 297      1998 350      2006 511	
1983 186      1991 307      1999 385      2007 643	
1984 189      1992 392      2000 318      2008 680	
1985 230      1993 359      2001 296      2009 658	
1986 232      1994 379      2002 272      2010 780	
1987 240      1995 392      2003 392      2011 759	
1988 268      1996 418      2004 441      2012 788	
4. Number known to be in litigation.....	3994 32%
5. Decisions on requests.....	11737
a. No. granted.....	10755 92%
(1) By examiner	10762
(2) By Director (on petition)	122
b. No. denied.....	982 8%
(1) By examiner	961
(2) Reexam vacated	35
6. Total examiner denials (includes denials reversed by Director).....	1078
a. Patent owner requester	496 46%
b. Third party requester	582 54%
7. Overall reexamination pendency (Filing date to certificate issue date)	
a. Average pendency	27.9 (mos.)
b. Median pendency	20.5 (mos.)

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	21%	22%	11%	21%
b. All calims canceled	8%	12%	24%	11%
c. Claims changed	71%	66%	65%	68%
9. Total ex parte reexamination certificates issued (1981 – present) .....				9328
a. Certificates with all claims confirmed			2029	22%
b. Certificates with all claims canceled			1063	11%
c. Certificates with claims changes			6236	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3176
a. All claims confirmed			669	21%
b. All calims canceled			280	9%
c. Claims changed			2227	70%
b. Certificates – 3rd PARTY REQUESTER				6026
a. All claims confirmed			1348	22%
b. All calims canceled			745	12%
c. Claims changed			3933	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			38	23%
c. Claims changed			108	66%



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Ex Parte Reexamination Filing Data - September 30, 2011

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11782 <sup>1</sup>
a. By patent owner	3801 33%
b. By other member of public	7815 66%
c. By order of Commissioner	166 1%
2. Number of filings by discipline	
a. Chemical Operation	3211 27%
b. Electrical Operation	4405 37%
c. Mechanical Operation	3987 34%
d. Design Patents	179 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No.      Fiscal Yr. No.      Fiscal Yr. No.      Fiscal Yr. No.	
1981 78 (3 mos.)    1989 243      1997 376      2005 524	
1982 187            1990 297      1998 350      2006 511	
1983 186            1991 307      1999 385      2007 643	
1984 189            1992 392      2000 318      2008 680	
1985 230            1993 359      2001 296      2009 658	
1986 232            1994 379      2002 272      2010 780	
1987 240            1995 392      2003 392      2011 759	
1988 268            1996 418      2004 441	
4. Number known to be in litigation.....	3894.....33%
5. Decisions on requests.....	11262
a. No. granted.....	10333.....92%
(1) By examiner	10213
(2) By Director (on petition)	120
b. No. denied .....	929.....8%
(1) By examiner	894
(2) Reexam vacated	35

<sup>1</sup>Of the requests received in FY 2011, 22 requests have not yet been accorded a filing date, and preprocessing of 35 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	1014		
a.	Patent owner requester	476	47%	
b.	Third party requester	538	53%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.6 (mos.)		
b.	Median pendency	19.9 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	21%	24%	11%
b.	All claims cancelled	9%	12%	23%
c.	Claims changes	70%	64%	66%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present) .....			8578
a.	Certificates with all claims confirmed		1943	23%
b.	Certificates with all claims canceled		974	11%
c.	Certificates with claims changes		5661	66%
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER .....			3040
	(1) All claims confirmed		651	21%
	(2) All claims canceled		264	9%
	(3) Claim changes		2125	70%
b.	Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....			5380
	(1) All claims confirmed		1274	24%
	(2) All claims canceled		674	12%
	(3) Claim changes		3432	64%
c.	Certificates – COMMISSIONER INITIATED REEXAM .....			158
	(1) All claims confirmed		18	11%
	(2) All claims canceled		36	23%
	(3) Claim changes		104	66%



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Ex Parte Reexamination Filing Data - September 30, 2010

1.	Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11023 <sup>1</sup>																																																																								
	a. By patent owner	3697 34%																																																																								
	b. By other member of public	7161 65%																																																																								
	c. By order of Commissioner	165 1%																																																																								
2.	Number of filings by discipline																																																																									
	a. Chemical Operation	3068 28%																																																																								
	b. Electrical Operation	4010 36%																																																																								
	c. Mechanical Operation	3771 34%																																																																								
	d. Design Patents	174 2%																																																																								
3.	Annual <i>Ex Parte</i> Reexam Filings																																																																									
	<table><tr><td><u>Fiscal Yr.</u></td><td><u>No.</u></td><td><u>Fiscal Yr.</u></td><td><u>No.</u></td><td><u>Fiscal Yr.</u></td><td><u>No.</u></td><td><u>Fiscal Yr.</u></td><td><u>No.</u></td></tr><tr><td>1981</td><td>78 (3 mos.)</td><td>1989</td><td>243</td><td>1997</td><td>376</td><td>2005</td><td>524</td></tr><tr><td>1982</td><td>187</td><td>1990</td><td>297</td><td>1998</td><td>350</td><td>2006</td><td>511</td></tr><tr><td>1983</td><td>186</td><td>1991</td><td>307</td><td>1999</td><td>385</td><td>2007</td><td>643</td></tr><tr><td>1984</td><td>189</td><td>1992</td><td>392</td><td>2000</td><td>318</td><td>2008</td><td>680</td></tr><tr><td>1985</td><td>230</td><td>1993</td><td>359</td><td>2001</td><td>296</td><td>2009</td><td>658</td></tr><tr><td>1986</td><td>232</td><td>1994</td><td>379</td><td>2002</td><td>272</td><td>2010</td><td>780</td></tr><tr><td>1987</td><td>240</td><td>1995</td><td>392</td><td>2003</td><td>392</td><td></td><td></td></tr><tr><td>1988</td><td>268</td><td>1996</td><td>418</td><td>2004</td><td>441</td><td></td><td></td></tr></table>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	1981	78 (3 mos.)	1989	243	1997	376	2005	524	1982	187	1990	297	1998	350	2006	511	1983	186	1991	307	1999	385	2007	643	1984	189	1992	392	2000	318	2008	680	1985	230	1993	359	2001	296	2009	658	1986	232	1994	379	2002	272	2010	780	1987	240	1995	392	2003	392			1988	268	1996	418	2004	441			
<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>																																																																			
1981	78 (3 mos.)	1989	243	1997	376	2005	524																																																																			
1982	187	1990	297	1998	350	2006	511																																																																			
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1987	240	1995	392	2003	392																																																																					
1988	268	1996	418	2004	441																																																																					
4.	Number known to be in litigation.....	3568.....32%																																																																								
5.	Decisions on requests.....	10495																																																																								
	a. No. granted.....	9648.....92%																																																																								
	(1) By examiner	9534																																																																								
	(2) By Director (on petition)	114																																																																								
	b. No. denied .....	847.....8%																																																																								
	(1) By examiner	812																																																																								
	(2) Reexam vacated	35																																																																								

<sup>1</sup>Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 80 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	926		
a.	Patent owner requester	451	49%	
b.	Third party requester	475	51%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.5 (mos.)		
b.	Median pendency	20.0 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	25%	12%
b.	All claims cancelled	8%	13%	23%
c.	Claims changes	70%	62%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present) .....	7782		
a.	Certificates with all claims confirmed	1817	23%	
b.	Certificates with all claims canceled	893	12%	
c.	Certificates with claims changes	5072	65%	
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER .....	2947		
	(1) All claims confirmed	638	22%	
	(2) All claims canceled	251	8%	
	(3) Claim changes	2058	70%	
b.	Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....	4681		
	(1) All claims confirmed	1161	25%	
	(2) All claims canceled	607	13%	
	(3) Claim changes	2913	62%	
c.	Certificates – COMMISSIONER INITIATED REEXAM .....	154		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	35	23%	
	(3) Claim changes	101	65%	



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Ex Parte Reexamination Filing Data - September 30, 2009

1. Total requests filed since start of *ex parte* reexam on 07/01/81..... 10243<sup>1</sup>
  - a. By patent owner 3634 35%
  - b. By other member of public 6444 63%
  - c. By order of Commissioner 165 2%
  
2. Number of filings by discipline
  - a. Chemical Operation 2931 29%
  - b. Electrical Operation 3596 35%
  - c. Mechanical Operation 3554 34%
  - d. Design Patents 162 2%
  
3. Annual *Ex Parte* Reexam Filings
 

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	511
1983	186	1991	307	1999	385	2007	643
1984	189	1992	392	2000	318	2008	680
1985	230	1993	359	2001	296	2009	658
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		
  
4. Number known to be in litigation.....3221.....31%
  
5. Decisions on requests.....9833
  - a. No. granted.....9041.....92%
    - (1) By examiner 8928
    - (2) By Director (on petition) 113
  - b. No. denied .....792.....8%
    - (1) By examiner 757
    - (2) Reexam vacated 35

<sup>1</sup>Of the requests received in FY 2009, 22 requests have not yet been accorded a filing date, and preprocessing of 41 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).



6.	Total examiner denials (includes denials reversed by Director).....	870		
a.	Patent owner requester	445	51%	
b.	Third party requester	425	49%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.2 (mos.)		
b.	Median pendency	19.7 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	26%	12%
b.	All claims cancelled	8%	13%	23%
c.	Claims changes	70%	61%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present) .....	7089		
a.	Certificates with all claims confirmed	1725	25%	
b.	Certificates with all claims canceled	807	11%	
c.	Certificates with claims changes	4557	64%	
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER .....	2827		
	(1) All claims confirmed	625	22%	
	(2) All claims canceled	233	8%	
	(3) Claim changes	1969	70%	
b.	Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....	4111		
	(1) All claims confirmed	1082	26%	
	(2) All claims canceled	540	13%	
	(3) Claim changes	2489	61%	
c.	Certificates – COMMISSIONER INITIATED REEXAM .....	151		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	34	23%	
	(3) Claim changes	99	65%	



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Ex Parte Reexamination Filing Data - September 30, 2008

1.	Total requests filed since start of <i>ex partes</i> reexam on 07/01/81 .....	9585 <sup>1</sup>	
	a. By patent owner	3567	37%
	b. By other member of public	5853	61%
	c. By order of Commissioner	165	2%
2.	Number of filings by discipline		
	a. Chemical Operation	2811	29%
	b. Electrical Operation	3261	34%
	c. Mechanical Operation	3357	35%
	d. Design Patents	156	2%
3.	Annual Ex Parte Reexam Filings		
	Fiscal Yr. No.	Fiscal Yr. No.	Fiscal Yr. No.
	1981 78 (3 mos.)	1989 243	1997 376
	1982 187	1990 297	1998 350
	1983 186	1991 307	1999 385
	1984 189	1992 392	2000 318
	1985 230	1993 359	2001 296
	1986 232	1994 379	2002 272
	1987 240	1995 392	2003 392
	1988 268	1996 418	2004 441
4.	Number known to be in litigation.....	2849.....	30%
5.	Decisions on requests.....	9219	
	a. No. granted.....	8467.....	92%
	(1) By examiner	8354	
	(2) By Director (on petition)	113	
	b. No. denied .....	752.....	8%
	(1) By examiner	717	
	(2) Reexam vacated	35	

<sup>1</sup>Of the requests received in FY 2008, 7 requests have not yet been accorded a filing date, and preprocessing of 15 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reserved by Director).....	830		
a.	Patent owner requester	441	53%	
b.	Third party requester	389	47%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	24.5 (mos.)		
b.	Median pendency	19.0 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	28%	12%
b.	All claims cancelled	8%	13%	21%
c.	Claims changes	70%	59%	67%
9.	Total ex parte reexamination certificates issued (1981 – present) .....	6457		
a.	Certificates with all claims confirmed	1624	25%	
b.	Certificates with all claims canceled	721	11%	
c.	Certificates with claims changes	4112	64%	
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party; or Comm'r initiated.			
a.	Certificates – PATENT OWNER REQUESTER .....	2722		
	(1) All claims confirmed	611	22%	
	(2) All claims canceled	214	8%	
	(3) Claim changes	1897	70%	
b.	Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....	3588		
	(1) All claims confirmed	995	28%	
	(2) All claims canceled	476	13%	
	(3) Claim changes	2117	59%	
c.	Certificates – COMM'R INITIATED REEXAM .....	147		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	31	21%	
	(3) Claim changes	98	67%	